

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2080

In Re: RICHARD DEBLOIS,

Petitioner.

On Petition for Writ of Mandamus.
(1:12-cv-00100-CCB)

Submitted: February 25, 2016

Decided: March 8, 2016

Before AGEE and KEENAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Richard DeBlois, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Richard DeBlois petitions for a writ of mandamus seeking an order requiring the district court to reopen his 28 U.S.C. § 2254 (2012) petition and granting a certificate of appealability. We conclude that DeBlois is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. U.S. Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought. In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988). Mandamus may not be used as a substitute for appeal. In re Lockheed Martin Corp., 503 F.3d 351, 353 (4th Cir. 2007).

The relief sought by DeBlois is not available by way of mandamus. Accordingly, although we grant leave to proceed in forma pauperis, we deny his petition for writ of mandamus and his amended petition for writ of mandamus. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED